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42425 7590 12/21/2006		EXAMINER	
HICKMAN PALERMO TRUONG & BECKER/ORACLE		DIVECHA, KAMAL B	
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SUITE 550			
SAN JOSE, CA 95110-1089		2151	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/21/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 December 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-85</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-85</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Response to Arguments

Claims 1, 3, 5-19, 21-42, 44, 46-60, 62-83 and 85 are pending in this application.

Claims 2, 4, 20, 43, 45, 61, and 84 remains cancelled.

Applicant's arguments field on December 8, 2006 with respect to above claims have been fully considered but are moot in view of the new ground(s) of rejection, as necessitated by the substantial amendments to the claims through the inclusion of the an application program executing on a server device processing a request from a client process executing on a client device and generating an item in response thereto that is to be sent to the client process and then intercepting the item generated, etc. (i.e. the item or the web pages are intercepted and modified after being requested by a client process).

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

1.   Claims 1, 3, 5-10, 13, 16-19, 21-42, 44, 46-51, 54, 57-60, 62-82 are rejected under 35

U.S.C. 103(a) as being unpatentable over Elnozahy et al., (hereinafter Elnozahy, U. S. Patent No.

6,792,459 B2) in view of Mortensen et al. (hereinafter Mortensen, U. S. Patent No. 5,481,735),

and further in view of Guthrie (U. S. Patent No. 6,266,681 B1).

As per claim 1, Elnozahy discloses a method for measuring client-side performance, the

method comprising:

an application program executing on a server device processing a request from a client

process executing on a client device and generating an item in response thereto that is to be sent

to the client process (col. 2 L25-54, col. 5 L41 to col. 6 L19);

intercepting an item generated by an application program executing on a server device

that is to be sent over a network to a client process executing on a client device, wherein the

intercepting is performed prior to arrival of the item at the client process (col. 5 L54-67 and fig.

1: i.e. pre-intercepting the web pages for instrumentation);

modifying the item transparently with respect to the application program to produce a

modified item that includes code which, when processed by one or more processors at the client

device causes: at the client device, measuring performance related to a service associated with

the item, and at the client device (col. 4 L60 to col. 5 L8, col. 5 L17-25), performing one or more

acts based on a measurement resulting from said step of measuring performance, wherein the one

or more acts includes sending data indicating the measurement to an entity over the network (col.

6 L10-19); and

sending the modified item over the network to the client process executing on the client

device (col. 6 L10-12).

However, Elnozahy does not disclose the process of intercepting the item generated by

the application program and modifying the item after being requested by a client process and the

process of determining a percentage of total items sent to the client process that are to be

modified; determining, based upon the percentage of total items sent to the client process that are

to be modified, whether the intercepted item is to be modified; and if based upon the percentage

of total items sent to the client process that are to be modified, the intercepted item is to be

modified.

Mortensen, from the same field of endeavor, explicitly discloses the process of

determining a percentage of total items that are to be modified and based upon the determination,

modifying the intercepted item (col. 9 L4-40, fig. 7, col. 5 L53 to col. 8 L25, col. 10 L43-64, col.

20 L8-30, fig 8B).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time

the invention was made to modify Elnozahy, in view of Mortensen in order to determine when to

modify the intercepted item based upon the statistics or the percentage of items.

One of ordinary skilled in the art would have been motivated because it would have allowed and indicated when and which items are to be intercepted and modified (Mortensen, col. 9 L4-12).

However, Elnozahy in view of Mortensen does not disclose the process of intercepting the item generated by the application program and modifying the item <u>after</u> being requested by a client process (i.e. web pages are intercepted and <u>modified after</u> being requested by a client process, as argued by the applicant).

Guthrie, from the same field of endeavor explicitly discloses the process of intercepting the item generated by the application program running on the server and modifying the item to insert and/or add code in the item after the web pages are being requested by the client application or process, i.e. web browser (col. 1 L41 to col. 2 L64, col. 3 L16-67, col. 5 L13-34, col. 6 L1-40: clearly teaches the interception and modification of the html code, i.e. a response, after the request is received by the server and when the response is transmitted to the client), prior to the arrival of the item at the client process.

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Elnozahy in view of Mortensen and further in view of Guthrie, in order to intercept and modify the item after being requested by the client.

One of ordinary skilled in the art would have been motivated because the interceptor code would have provided periodic updates to the code (Guthrie, col. 3 L18-50). Furthermore, the injection system as in Guthrie, enables a user or client to supplement the user's browser with the additional functionality of the injectable component (i.e. injected code), without modifying the

browser, by intercepting HTTP messages and placing code in HTML documents that causes the

additional behavior to appear (Guthrie, col. 5 L13-34).

As per claim 3, Elnozahy discloses the process wherein the steps of measuring

performance and performing one or more acts based on the measurement are performed

transparently with respect to a user of the client process (col. 5L54 to col. 6 L20 and col. 2 L25-

54).

As per claim 5, Elnozahy discloses the process wherein said step of sending the data to an

entity comprises storing the data in a data structure that is automatically sent to a server device

associated with said service in response to a later request from the client process for said service

(fig. 1, col. 2 L61 to col. 3 L7, col. 8 L57-67).

As per claim 6, Elnozahy discloses the process wherein the client is a web browser and

the data structure is a cookie stored on the client device by the web browser (fig. 1, col. 8 L58-

65).

As per claim 7, Elnozahy discloses the process wherein the step of modifying the item

includes adding code to the item which, when processed by one or more processors at the client

device, causes the client device to issue a request to the server device over the network (col. 5

L17-62), and said step of sending data indicating the measurement to an entity further comprises

sending the request including the data indicating the measurement to the server device over the

network (col. 6 L10-55 and fig. 3).

As per claim 8, Elnozahy discloses the process wherein the request is for a particular file

and in response to the request for the particular file no change is made by the client process to a

page already rendered on a display of the client device (col. 7 L1-46).

As per claim 9, Elnozahy discloses the process of storing the data indicating the measurement in a log file on the server device (fig. 1 item #195, 190).

As per claim 10, Elnozahy discloses the process of storing the data indicating the measurement in a database of the entity on the network (fig. 1 item #195, 190).

As per claim 13, Elnozahy discloses the process wherein the step of at the client device performing one or more acts based on the measurement comprises determining whether the measurement indicates performance has fallen below a threshold and if the measurement indicates performance has fallen below the threshold, then sending a notification message (col. 9 L44-54, col. 2 L61 to col. 3 L7).

As per claim 16, Elnozahy discloses the process wherein the measurement is a client response time between a first time when a user of the client process selects an item on a first web page rendered on a display of the client device and a second time when a second web page is fully rendered on the display of the client device (fig. 5, col. 7 L1-46).

As per claim 17, Elnozahy discloses the process wherein processing of the code by the one or more processors at the client device causes collecting ancillary information relating to one or more components of the client process that participate in obtaining the service from the application program and the at the client device performing one or more acts based on the measurement includes correlating the measurement with the ancillary information (fig. 1 item #195, fig. 3 item #260, item #250, fig. 5 item #565 and fig. 6 item #670).

As per claim 21, Elnozahy discloses the process wherein the item to be sent to the client process is stored in a cache before the item is sent to the client process (fig. 1 item #115, 131-133); said step of intercepting the item comprises accessing the item in the cache and said step of

sending the modified item to the client process comprises replacing the item in cache with the modified item (fig. 1 and col. 6 L1-10).

As per claim 22, Elnozahy discloses the process wherein the cache is on the server device (fig. 1 item #110, 115 and col. 6 L1-10).

As per claim 24, Elnozahy discloses the process wherein the item includes hypertext markup language (HTML) statements; and the client process is a web browser (col. 2 L25-36, fig. 1 item #160, col. 4 L20-32).

As per claim 25, Elnozahy discloses the process wherein the web browser is configured to run javascript and the code comprises javascript statements (col. 4 L20-59).

As per claim 26, Elnozahy discloses the process wherein the code conforms to a scripting language (col. 2 L25-54, col. 4 L20-45).

As per claim 27, Elnozahy discloses the process wherein the code comprises a Java applet (col. 2 L25-36).

As per claim 29, Elnozahy discloses the process wherein the step of modifying the item comprises appending the code to the end of the item (col. 2 L25-54 and col. 4 L10-67).

As per claim 30, Elnozahy discloses the process wherein the item includes markup language statements and said step of modifying the item further comprises inserting the code at a particular statement of the markup language statements (col. 5 L41-67, col. 4 L19-45).

As per claim 31, Elnozahy discloses the process wherein the code includes at least one of first code added to a first item and second code added to a second item; and said measuring performance comprises starting a time measurement based on the first code and ending a time measurement based on the second code (fig. 3 and col. 7 L1-46).

As per claim 32, Elnozahy discloses the process wherein the first code is executed in response to a user of the client process clicking on a control included in the first item (col. 7 L1-11) and the second code is executed in response to fully loading the second item (fig. 3, col. 7 L1-46).

As per claim 33, Elnozahy discloses the process wherein the code includes first code executed upon arrival of the first code at the client process and second code executed in response to a data structure generated by the client process after arrival of the first code (fig. 3 and col. 7 L1-46).

As per claim 34, Elnozahy discloses the process wherein the data structure describes an event at the client device (col. 7 L1-46).

As per claim 35, Elnozahy discloses the process wherein the event is message received from an operating system executing on the client device (col. 7 L1-46).

As per claim 36, Elnozahy discloses the process wherein the event is a manipulation of a control of the client device by a user (col. 7 L1-46).

As per claim 37, Elnozahy discloses the process wherein processing of the second code causes the measuring performance (col. 7 L1-46, col. 9 L1-54).

As per claim 38, Elnozahy discloses the process wherein processing of the second code causes recording a current time (col. 9 L1-20, col. 7 L1-46).

As per claim 39, Elnozahy discloses the process wherein the item to be sent to the client process includes a third code to be executed in response to the data structure generated by the client process and processing the first code causes replacing the third code with the second code (col. 7 L1 to col. 8 L27 and col. 9 L1-67).

As per claim 40, Elnozahy discloses the process wherein the code includes first code

executed in response to data structure describing a first event generated by the client process and

second code executed in response to a data structure describing a second event generated by the

client process (col. 7 L1-46 and col. 9 L1-67 and fig. 3).

As per claim 41, Elnozahy discloses the process wherein the item to be sent to the client

process includes a third code to be executed in response to the data structure describing the

second event generated by the client process and processing the first code causes replacing the

third code with the second code (col. 7 L1 to col. 8 L27 and col. 9 L1-67).

As per claim 18, Elnozahy in view of Mortensen does not disclose the process of

determining the type associated with the item and determining whether to perform said step of

modifying the item based on the type of the item, after intercepting the item and before

modifying the item.

Guthrie discloses the process of intercepting the item and determining the type associated

with the item and determining whether to perform modification of the item based on the type of

item (col. 6 L25-40, col. 10 L52 to col. 11 L6).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time

the invention was made to incorporate the teaching of Guthrie as stated above with Elnozahy and

Mortensen, in order to make a determination whether to perform the process of modifying the

item based on the type associated with the item.

One of ordinary skilled in the art would have been motivated because it would have

determined what type of code the clients browser would support and what code to inject into the

item or the document (Guthrie, col. 11 L1-6).

As per claim 19, Elnozahy in view of Mortensen does not disclose the process of

determining a unique reference associated with the item and determining whether to perform said

step of modifying the item based on whether the unique reference matches a particular reference,

after intercepting the item and before modifying the item.

Guthrie discloses the process of determining the unique reference associated with the

item and determining whether to perform the step of modifying the item based on whether the

unique reference matches a particular reference (col. 6 L25-40, col. 10 L52 to col. 11 L6).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time

the invention was made to incorporate the teaching of Guthrie as stated above with Elnozahy and

Mortensen, in order to make a determination of modifying the item based on a unique reference.

One of ordinary skilled in the art would have been motivated because of the same reasons

as set forth in claim 18.

As per claim 23, Elnozahy in view of Mortensen does not disclose the process wherein

the cache is on a proxy server for the client process.

Guthrie explicitly discloses a system wherein the intercepting and the modifying process

is conducted at the proxy server (fig. 2 item #204, col. 5 L13-34, col. 10 L52-67: please note that

proxy server includes a cache memory).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time

the invention was made to incorporate the teaching of Guthrie as stated above with Elnozahy, in

order to include a proxy server with a cache memory.

One of ordinary skilled in the art would have been motivated because proxy servers

decreases the response times of the client requests by retrieving the requested web pages from

the proxy server. It would have also provided additional security in a global network environment (Guthrie, col. 2 L22-63).

As per claim 28, Elnozahy in view of Mortensen does not disclose the process wherein the code comprises an ActiveX module.

Guthrie, explicitly discloses the process of intercepting the HTML documents and modifying the html documents to include a code, wherein the code includes ActiveX component (col. 11 L1-49).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to incorporate the teaching of Guthrie with Elnozahy in order to include ActiveX modules.

One of ordinary skilled in the art would have been motivated so that the code can be inserted in a form of ActiveX component into the HTML document (Guthrie, col. 11 L1-32, col. 6 L41-67).

As per claims 59-60, 64 and 69, they do not teach or further define over the limitations in claim 18-19, 23 and 28. Therefore claims 59-60, 64 and 69 are rejected for the same reasons as set forth in claims 18-19, 64 and 69.

As per claims 42, 44, 46-51, 54, 57-58, 62-63, 65-68, 70-82, they do not teach or further define over the limitations in claims 1, 3, 5-10, 13, 16-17, 21-22, 24-27, 29-41. Therefore claims 42, 44, 46-51, 54, 57-58, 62-63, 65-68, 70-82, are rejected for the same reasons as set forth in claims 1, 3, 5-10, 13, 16-17, 21-22, 24-27, 29-41.

2.   Claims 11-12, 14-15, 52-53, 55-56, 83 and 85 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Elnozahy et al., (hereinafter Elnozahy, U. S. Patent No. 6,792,459 B2),

in view of Mortensen et al. (hereinafter Mortensen, U. S. Patent No. 5,481,735), in view of

Guthrie (U. S. Patent No. 6,266,681 B1), and further in view of Burgess et al., (hereinafter

Burgess, U. S. Patent No. 5,696,701).

        As per claim 83, Elnozahy discloses a method for responding to client-side performance

on a network connecting a client device executing a client process to a server device configured

to execute an application program to provide a service (fig. 1), the method comprising the steps

of:

        an application program executing on a server device processing a request from a client

process executing on a client device and generating an item in response thereto that is to be sent

to the client process (col. 2 L25-54, col. 5 L41 to col. 6 L19);

        intercepting an item produced by an application program prior to arrival of the item at the

client process (col. 5 L54-67 and fig. 1: pre-intercepting the item for instrumentation);

        modifying the item transparently with respect to the application program to produce a

modified item that includes code which, when processed by one or more processors at the client

device causes: at the client device, measuring performance related to a service associated with

the item (col. 4 L60 to col. 5 L8, col. 5 L17-25), and based on measurement resulting from said

step of measuring performance, sending data indicating the measurement from the client device

over the network to the server device (col. 6 L10-19 and fig. 1);

        sending the modified item over the network to the client process executing on the client

device (col. 6 L10-12).

receiving the data over the network indicating the measurement (fig. 1 and col. 8 L15-25,

col. 6 L11-19);

storing the data indicating the measurement in a database (fig. 1).

However, Elnozahy does not disclose does not disclose the process of intercepting the

item generated by the application program and modifying the item after being requested by a

client process (i.e. web pages are intercepted and modified after being requested by a client

process, as argued by the applicant); the process of determining a percentage of total items sent

to the client process that are to be modified; determining, based upon the percentage of total

items sent to the client process that are to be modified, whether the intercepted item is to be

modified; and if based upon the percentage of total items sent to the client process that are to be

modified, the intercepted item is to be modified and the process wherein based on the data

indicating the measurement, determining whether the data indicates performance has fallen

below a threshold, and if the data indicates performance has fallen below the threshold, then

sending a notification message.

Mortensen, from the same field of endeavor, explicitly discloses the process of

determining a percentage of total items that are to be modified and based upon the determination,

modifying the intercepted item (col. 9 L4-40, fig. 7, col. 5 L53 to col. 8 L25, col. 10 L43-64, col.

20 L8-30, fig 8B).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time

the invention was made to modify Elnozahy, in view of Mortensen in order to determine when to

modify the intercepted item based upon the statistics or the percentage of items.

One of ordinary skilled in the art would have been motivated because it would have

allowed and indicated when and which items are to be intercepted and modified (Mortensen, col.

9 L4-12).

However Elnozahy in view of Mortensen does not disclose the process of intercepting the

item generated by the application program and modifying the item <u>after</u> being requested by a

client process (i.e. web pages are intercepted and <u>modified after</u> being requested by a client

process, as argued by the applicant) and the process wherein based on the data indicating the

measurement, determining whether the data indicates performance has fallen below a threshold,

and if the data indicates performance has fallen below the threshold, then sending a notification

message.

Guthrie, from the same field of endeavor explicitly discloses the process of intercepting

the item and/or the web pages generated by the application program running on the server and

modifying the web pages to insert and/or add code in the item <u>after</u> the web pages are being

requested by the client application or process, i.e. web browser (col. 1 L41 to col. 2 L64, col. 3

L16-67, col. 5 L13-34, col. 6 L1-40: clearly teaches the interception and modification of the html

code, i.e. a response, after the request is received by the server and when the response is

transmitted to the client).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time

the invention was made to modify Elnozahy in view of Mortensen and further in view of

Guthrie, in order to intercept and modify the web pages after being requested by the client.

One of ordinary skilled in the art would have been motivated because the interceptor code

would have provided periodic updates to the code (Guthrie, col. 3 L18-50). Furthermore, the

injection system as in Guthrie, enables a user or client to supplement the user's browser with the

additional functionality of the injectable component (i.e. injected code), without modifying the

browser, by intercepting HTTP messages and placing code in HTML documents that causes the

additional behavior to appear (Guthrie, col. 5 L13-34).

However, Elnozahy, Mortensen and Guthrie does not disclose the process wherein based

on the data indicating the measurement, determining whether the data indicates performance has

fallen below a threshold, and if the data indicates performance has fallen below the threshold,

then sending a notification message.

Burgess, from the same field of endeavor, explicitly discloses the process conducted at

the server device, the process comprising receiving the data over the network indicating the

measurement (col. 4 L40-42, col. 2 L33-37), storing the data indicating the measurement in a

database (fig. 8 item #140, col. 56-60, col. 3 L62-67 and col. 4 L40-46) and based on the data

indicating the measurement, determining whether the data indicates performance has fallen

below a threshold and if the data indicates performance has fallen below the threshold, then

sending a notification message to an administrator and a user (col. 6 L40-49, col. 6 L64 to col. 7

L5, col. 4 L13-15, col. 2 L38-45, col. 7 L4-12 and fig. 2 item #40).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time

the invention was made to modify Elnozahy in view of Mortensen and Guthrie, and further in

view of Burgess, in order to determine whether the data indicates performance has fallen below a

threshold based on the data indicating the measurement, and if the data indicates performance

has fallen below the threshold, then sending a notification message.

One of ordinary skilled in the art would have been motivated because it would have determined the alertable events or performance and notify the appropriate parties regarding the alertable level of the client computer (Burgess, col. 4 L4-15, col. 7 L1-3). It would have also allowed an administrator to take action before the halt of the operating system of the client computer (Burgess, col. 8 L3-11).

As per claims 11-12, 14-15, 52-53, 55-56 and 85 they do not teach or further define over the limitations in claims 83. Therefore claims 11-12, 14-15, 52-53, 55-56 and 85 are rejected for the same reasons as set forth in claims 83.

Additional References

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

a.   Choe, U. S. Patent No. 6,584,504 B1: Method and Apparatus for Monitoring

Internet Traffic on an Internet Web page.

b.   Rosborough, U. S. Patent No. 5,764,912: Method and Apparatus for Determining

Response time in Computer Applications.

c.   Yee et al., U. S. Patent No. 5,872,976: Client-based system for monitoring the

Performance of Application programs.

d.   Abbott et al., U. S. Patent No. 6,314,463 B1: Method and System for Measuring

Queue Length and Delay.

e.   Elnozahy et al., Pub. No.: US 2002/0112049 A1: Measuring Response Time for a

Computer accessing Information from a network.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAMAL B. DIVECHA whose telephone number is 571-272-5863. The examiner can normally be reached on Increased Flex Work Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kamal Divecha
Art Unit 2151
December 19, 2006.

ZARNI MAUNG
SUPERVISORY PATENT EXAMINER